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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,391	09/26/2003	Denny Jaeger	4334	8531

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EXAMINER	
TRAN, MYLINH T	
ART UNIT	PAPER NUMBER
2179	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/672,391	JAEGER, DENNY	
	Examiner	Art Unit	
	MYLINH TRAN	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 February 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Applicant's Amendment filed 02/11/08 has been entered and carefully considered. Claims 1, 12 and 23 have been amended. However, the limitation of the amended claims have not been found to be patentable over prior art of record, therefore, claims 1-28 remain rejected under the same ground of rejection as set forth in the Office Action mailed 08/09/07.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, 8-9, 12-17, 19-20, 23-25 and 27 are rejected are under 35 U.S.C. 102(e) as being anticipated by Miller et al. [US. 6,512,522].

As to claims 1, 12 and 23, Miller teaches a computer implemented method and corresponding apparatus for recording and replaying property changes of graphic elements in a computer environment comprising the steps/means for recording graphical and functional information of said graphic elements as properties of said graphic elements are changed (column 1, lines 49-63, column

7, lines 55-62); and said graphical and functional information including physical positional changes of said graphic elements (column 1, line 63 through column 2, line 5), physical state changes of said graphic elements (column 2, lines 5-18) and actions caused by said graphic elements (column 2, lines 48-58) when said graphic elements are user-activated (column 2, line 6-18), said graphical and functional information further including relationships between some of said graphic element, said relationship including parent-child relationships between said graphic element (column 6, line 44 through column 7, line 8 and column 9, line 49 through column 10, line 16).

replaying at least a portion of recorded changes pertaining to said properties of said graphic elements using said graphical and functional information (column 2, lines 7-18)

As to claims 2, 13 and 24, Miller also teaches the recording including extracting said graphical and functional information of said graphic elements from broadcast messages and saving said graphical and *functional* information as recording data (column 2, lines 59-62).

As to claims 3 and 14, Miller shows the graphical and functional information corresponding to said property changes as results of user interactions on said graphic elements (column 2, lines 6-18).

As to claims 4 and 15, Miller also shows the broadcast messages including a message that contains sufficient information to recreate a particular graphic element of said graphic elements from scratch (column 3, lines 42-67).

As to claims 5 and 16, Miller discloses said message containing property values of said particular graphic element, said property values including at least one of color value, control value and positional value (column 7, lines 62-67).

As to claims 6, 17 and 25, Miller also discloses the replaying including processing said recording data using predefined time intervals to effectuate said property changes of said graphic elements for replay (column 12, lines 16-37).

As to claims 8, 19 and 27, Miller also provides the replaying including manipulating real operational graphic elements (column 12, lines 16-37).

As to claims 9 and 20, Miller teaches recording including separately recording said graphical and functional information for each of said graphic elements as recording data that can be used to form unique data streams corresponding to different histories of property changes for said graphic elements (column 8, lines 10-36).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 7, 10-11, 18, 21-22, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. [US. 6,512,522].

As to claims 10 and 21, Miller fails to demonstrate the replaying including processing said recording data to run said unique data streams in parallel to replay said property changes of said graphic elements. However, it was well known in the video-editing computer art that the feature of "the replaying including processing said recording data to run said unique data streams in parallel to replay said property changes" is taught because the unique data streams in parallel to replay the property changes is an obvious step in the video editing system. It would have been obvious to one of skill in the art, at the time the invention was made, to combine the teaching of Miller with the unique data streams. Motivation of the combination is for the advantage for running the video system.

As to claims 7, 18 and 26, Miller fails to clearly teach the replaying including generating an update message that combines some of said property changes for a particular graphic element in response to a user input changing a current replay time to a different replay time. However, it was well known in the video-editing computer art that the feature of "generating an update message that combines some of said property changes for a particular graphic element in response to a user input changing a current replay time to a different replay time" is taught. It would have been obvious to one of skill in the art, at the time the invention was made, to change a current replay time to a different replay time in the video system. Motivation of the combination is for the advantage for alert a user to change the replay time by updating a message.

As to claims 11, 22 and 28, Miller teaches "temporarily disabling screen updating process; resetting said computer environment to a recorded state at a particular time using said graphical and functional information of said graphic elements; and yhjenabling said screen updating process to display said recorded state of said computer environment". However, suggested that the recording time could be changed depending on user's desired was well known in the computer art. Official notice is taken that the step of resetting was well known in the art. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation with Miller's teaching. Motivation of the combination would have been obvious design preference.

Response to Arguments

Applicant has argued that Miller et al. does not disclose the limitations of "said graphical and functional information including physical positional changes of said graphic element, physical state changes of said graphic elements and actions caused by said graphic elements when said graphic elements are user-activated,". However, the examiner respectfully disagrees with the above argument. Applicant's attention is directed to column 2, lines 6-35 cited "A user interface for editing a character string may provide two alternate displays. A first display allows a user to input and view any desired portion of the character string for the purpose of editing only the characters, but displaying them in three dimensions. A second display allows a user to view and edit how the character

string appears at a selected point in time or position along a path during a titling effect for the purpose of animation....This interface may be combined with a timeline editing interface for editing an associated video program, or other user interface, to permit layering of titling effects and adjustment of animation properties and timing." It is clear that the step of the physical positional and physical state changes of the graphic elements and actions caused by the graphic element is involved a user's editing-user activated.

Applicant has also argued that Miller et al. does not disclose the limitations of "said graphical and functional information further including relationship between some of said graphic elements, said relationships including parent-child relationships between said graphic elements," However, applicant's attention is directed to column 9, line 49 through column 10, line 16 cited "As mentioned above, when processing the scene graph either to position characters or to render characters, the properties associated with a node are pushed onto the property stacks when processing that node and its children. After completion of the processing of a node and its children, the properties are popped from the property stacks." It is clear that there is a parent-child relationships between some of the graphic elements.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

Art Unit 2179

/Weilun Lo/

Supervisory Patent Examiner, Art Unit 2179